

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DYNAENERGETICS EUROPE GMBH, and DYNAENERGETICS US, INC.	§ § § §
<i>Plaintiffs,</i>	§ § § §
v.	§ Civil Action No. 6:20-CV-01201
NEXTIER COMPLETION SOLUTIONS INC.	§ Jury Trial Demanded § § §
<i>Defendant.</i>	§ §

**DEFENDANT NEXTIER COMPLETION SOLUTIONS INC.'S RESPONSE TO
PLAINTIFFS' MOTION TO STRIKE**

Pursuant to Fed. R. Civ. P. 15(a)(1), in lieu of a response to Plaintiffs' Motion to Strike Defendant NexTier Completion Solutions Inc. ("NexTier" or "Defendant")'s Affirmative Defense for Unenforceability Due to Inequitable Conduct and Motion to Dismiss Defendant's Counterclaims of Non-Infringement and Invalidity (Dkt. 31) ("Motion to Strike"), contemporaneously herewith, Defendant files its First Amended Answer and Counterclaims to Plaintiffs' First Amended Complaint (Dkt. 37), thereby rendering the issues raised in the Motion to Strike moot.

Dated: June 28, 2021

Respectfully submitted,

/s/ Amir H. Alavi

Amir Alavi
State Bar No. 00793239
Michael McBride
State Bar No.: 24065700
**AHMAD, ZAVITSANOS, ANAIPAKOS,
ALAVI & MENSING, P.C.**
1221 McKinney Street, Suite 2500
Houston, Texas 77010

(713) 655-1101
aalavi@azalaw.com
mmcbride@azalaw.com

**ATTORNEYS FOR DEFENDANT
NEXTIER COMPLETION SOLUTIONS, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2021, a copy of the foregoing was served on the following party electronically through the U.S. District Court, Western District of Texas ECF system to all counsel of record all of whom are Filing Users of the Court's Electronic Filing System.

/s/ Amir Alavi
Amir Alavi